

OFFICIAL

MS RCE
PATENT
0147-0211P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant:	ROSENTHAL, A. et al.	Conf.:	7286	RECEIVED
Appl. No.:	09/647,377	Group:	1632	CENTRAL FAX CENTER
Filed:	September 27, 2000	Examiner:	PRIEBE, S.	MAR 15 2004
For:	NUCLEIC ACID MOLECULES ENCODING PROTEINS WHICH INFLUENCE BONE DEVELOPMENT			

REQUEST FOR CONTINUED EXAMINATION
UNDER 37 C.F.R. § 1.114

MS RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

March 15, 2004

Sir:

This is a "Request for Continued Examination" under 37 C.F.R. § 1.114, the provisions of which do not apply to:

(1) A provisional application; (2) An application for a utility or plant patent filed under 35 U.S.C. 111(a) before June 8, 1995; (3) An international application filed under 35 U.S.C. §363 before June 8, 1995; (4) An application for a design patent; or (5) A patent under reexamination.

Submission of an RCE is limited to an application in which prosecution is closed; e.g. final rejection, Ex Parte Quayle; or notice of allowability

☒ This Request for Continued Examination is being filed prior to the earliest of:

(1) Payment of the issue fee, unless a petition under § 1.313 is granted; (2) Abandonment of the application; or (3) The filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. § 141, or the commencement of civil action under 35 U.S.C. §§ 145 or 146, unless the appeal or civil action is terminated.

☐ The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

Appl. No. 09/647,377

☒ **Fees**

The required fee under 37 C.F.R. § 1.17(e) as required by 37 C.F.R. § 1.114 when the RCE is filed, is enclosed herewith:

☒ \$385.00 - small entity☐ \$770.00 - large entity☒ The applicant(s) hereby petition(s) for an extension of one (1) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a). The fee has been calculated as shown below:☒ NO extensions of time have been previously obtained in the prior application. Thus, a fee of \$55.00 is required for the full period of the above-requested extension of time.☐ An extension of () month(s) was previously requested and paid for on in the instant application. Thus, a fee of \$0.00 is required to obtain an additional () month(s) extension.☐ The fee of \$130.00 under 37 C.F.R. § 1.17(i) for suspension of action is enclosed.☐ Enclosed is(are) check(s) in the total amount of \$0.00 for the applicable filing fee, additional claims fee, suspension fee, and/or extension fees.☒ Please charge Deposit Account No. 02-2448 in the amount of \$440.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By

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Certificate of Transmission
I hereby Certify that this correspondence is being
facsimile transmitted to the Patent and
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March 15, 2004
Date
Susan Langworthy
Signature
Typed duplicate name of person signing certificate
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Attachment(s)

(Rev. 02/12/2004)